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**From:** [kay@kayburningham.com](mailto:kay@kayburningham.com)  
**To:** [Harward, Wesley F.\\_;](mailto:Harward, Wesley F._;) ["Mary Jane McNamee@utd.uscourts.gov"](mailto:Mary_Jane_McNamee@utd.uscourts.gov)  
**Cc:** [Jordan, David J.\\_;](mailto:Jordan, David J._;) ["park@kayburningham.com"](mailto:park@kayburningham.com)  
**Subject:** RE: Gaddy  
**Date:** Tuesday, November 10, 2020 10:36:00 AM

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Good morning everyone,

I plan to file a motion later today requesting the Court allow me to supplement the Amended Complaint with an additional exhibit, the substance of which was only recently discovered. I intended to include in that motion a request that the briefing be completed prior to December 10, 2020, so that argument on the mtn to supplement could be heard at the currently scheduled hearing on the 10<sup>th</sup>, along with, and perhaps just before, argument on the underlying motion. I think that argument would take more than 15 minutes for both sides. I am writing this for scheduling purposes. The aforesaid motion to supplement (FRCP 15(d)) will be filed late today, likely not until after close of business.

Thank you,

**Kay Burningham, Attorney at Law**

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**From:** Harward, Wesley F. <[wesley.harward@stoel.com](mailto:wesley.harward@stoel.com)>  
**Sent:** Tuesday, November 10, 2020 10:23 AM  
**To:** [Mary\\_Jane\\_McNamee@utd.uscourts.gov](mailto:Mary_Jane_McNamee@utd.uscourts.gov)  
**Cc:** Jordan, David J. <[david.jordan@stoel.com](mailto:david.jordan@stoel.com)>; [Kay@kayburningham.com](mailto:Kay@kayburningham.com)  
**Subject:** Gaddy

Dear Ms. McNamee,

We received a notification that oral argument in the *Gaddy* case (No. 2:19-cv-00554) was scheduled for December 10, 2020. Unfortunately, David Jordan and I (counsel for the defendant) have an arbitration scheduled that entire week. Is it possible to reschedule the hearing? And is this email a sufficient request or do we need to file something with the Court? We have cc'd Ms. Burningham, counsel for the plaintiff. We are happy to proceed in whatever way the Court wants. Thank you for your assistance in this matter.

Best,

**Wesley F. Harward** | Attorney

**STOEL RIVES LLP** | 201 South Main Street, Suite 1100 | Salt Lake City, UT 84111

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